S T A T E O F N E W Y O R K

S. 4800 A. 7001

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

April 17, 2015

IN SENATE -- Introduced by Sen. AMEDORE -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

IN ASSEMBLY -- Introduced by M. of A. FAHY -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to authorizing farm distillery licensees to sell gift items

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2-c of section 61 of the alcoholic beverage control law is amended by adding a new paragraph (h) to read as follows:

(H) A FARM DISTILLERY LICENSE SHALL AUTHORIZE THE HOLDER THEREOF TO MANUFACTURE, BOTTLE AND SELL FOOD CONDIMENTS AND PRODUCTS SUCH AS NUTS, POPCORN, MULLING SPICES AND OTHER SPIRITS RELATED FOOD IN ADDITION TO OTHER SUCH FOOD AND CRAFTS ON AND FROM THE LICENSED PREMISES. SUCH LICENSE SHALL AUTHORIZE THE HOLDER THEREOF TO STORE AND SELL GIFT ITEMS IN A TAX-PAID ROOM UPON THE LICENSED PREMISES INCIDENTAL TO THE SALE OF LIQUOR. THESE GIFT ITEMS SHALL BE LIMITED TO THE FOLLOWING CATEGORIES:

(I) NON-ALCOHOLIC BEVERAGES FOR CONSUMPTION ON OR OFF PREMISES, INCLUDING BUT NOT LIMITED TO BOTTLED WATER, JUICE AND SODA BEVERAGES;

(II) FOOD ITEMS FOR THE PURPOSE OF COMPLEMENTING LIQUOR TASTINGS, WHICH SHALL MEAN A DIVERSIFIED SELECTION OF FOOD THAT IS ORDINARILY CONSUMED WITHOUT THE USE OF TABLEWARE AND CAN BE CONVENIENTLY CONSUMED WHILE STANDING OR WALKING. SUCH FOOD ITEMS SHALL INCLUDE BUT NOT BE LIMITED TO: CHEESES, FRUITS, VEGETABLES, CHOCOLATES, BREADS, MUSTARDS AND CRACKERS;

(III) FOOD ITEMS, WHICH SHALL INCLUDE LOCALLY PRODUCED FARM PRODUCTS AND ANY FOOD OR FOOD PRODUCT NOT SPECIFICALLY PREPARED FOR IMMEDIATE CONSUMPTION UPON THE PREMISES. SUCH FOOD ITEMS MAY BE COMBINED INTO A PACKAGE CONTAINING LIQUOR RELATED PRODUCTS;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(IV) LIQUOR SUPPLIES AND ACCESSORIES, WHICH SHALL INCLUDE ANY ITEM UTILIZED FOR THE STORAGE, SERVING OR CONSUMPTION OF LIQUOR OR FOR DECORATIVE PURPOSES. THESE SUPPLIES MAY BE SOLD AS SINGLE ITEMS OR MAY BE COMBINED INTO A PACKAGE CONTAINING LIQUOR;

(V) LIQUOR-MAKING EQUIPMENT AND SUPPLIES INCLUDING, BUT NOT LIMITED TO, FILTERS, BOTTLING EQUIPMENT, AND BOOKS OR OTHER WRITTEN MATERIAL TO ASSIST SPIRITS MAKERS TO PRODUCE AND BOTTLE LIQUOR; AND

(VI) SOUVENIR ITEMS, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO ARTWORK, CRAFTS, CLOTHING, AGRICULTURAL PRODUCTS AND ANY OTHER ARTICLES WHICH CAN BE CONSTRUED TO PROPAGATE TOURISM WITHIN THE REGION.

S 2. This act shall take effect immediately.